

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:17 CV 351

CHERYL CELESTE KENYON, f/k/a)
CHERYL PORTER; TAMMY McABEE,)
)
Plaintiffs,)
v.)
JIMMY LEE BRANCH, in his individual)
Capacity as employee of the North)
Carolina Department of Public Safety;)
FNU JACKSON, in her individual capacity as)
Superintendent / Warden of Swannanoa)
Correctional Center for Women; and)
TABITHA BATES, in her individual)
Capacity as employee of the North Carolina)
Department of Public Safety;)
)
Defendants.)
_____)

ORDER

This matter is before the Court on Defendants’ Motion to Seal Exhibits (Doc. 50) (“Motion to Seal”) which requests that the Court issue an order sealing Exhibits E, F, G, and H filed in support of Defendant’s Motion for Summary Judgment (Docs. 49-1, 49-2, 49-3, 49-4). Plaintiffs consent.

The Court has considered the Motion to Seal, the public’s interest in access to the subject materials, and alternatives to sealing. The Court determines that sealing is necessary in this case, and that less restrictive means of handling the information are not sufficient, in part as the subject filings pertain to prisoner records which are “generally confidential and are not

subject to inspection by the public.” Taylor v. Deaver, No. 5:11-CV-341-H, 2011 WL 5870053, at *1 (E.D.N.C. Nov. 22, 2011) (citing Goble v. Barnes, 13 N.C.App. 579, 186 S.E.2d 638, aff’d, 281 N.C. 307, 188 S.E.2d 347 (1972)). The sealing ordered herein shall be permanent, subject to further Order of the Court.

Accordingly, the Defendant’s Motion to Seal (Doc. 50) is **GRANTED**, and Exhibits E, F, G, and H to Defendants’ Motion for Summary Judgment (Docs. 49-1, 49-2, 49-3, 49-4) shall be **SEALED** and remain sealed until further Order of the Court.

Signed: October 9, 2019

A handwritten signature in black ink, reading "W. Carleton Metcalf", written over a horizontal line.

W. Carleton Metcalf
United States Magistrate Judge

